IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

WEDNESDAY, THE 11TH OCTOBER 2006 / 19TH ASWINA 1928

Bail Appl..No. 6055 of 2006

CMP.1753/2006 of J.M.F.C.-II, MANANTHAVADY
CRIME NO.43/2006 OF MANANTHAVADY EXCISE RANGE

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PETITIONER/ACCUSED IN CRIME NO.43/2006

RAJAN, S/O.MARI, AGED 49 YEARS,
RESIDING AT KUNNIYOOR COLONY, THIRUNELLY VILLAGE,
MANANTHAVADY TALUK, WAYANAD DISTRICT.

BY ADV. SRI.G.P.SHINOD
SRI.RAM MOHAN.G.
SRI.MANU V.

RESPONDENTS: COMPLAINANT IN CRIME NO.43 OF 2006

STATE OF KERALA REPRESENTED BY ITS
PUBLIC PROSECUTOR AT HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 11/10/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 6055/2006

DATED THIS THE 11TH DAY OF OCTOBER, 2006

O R D E R

The petitioner was arrested on 27.9.2006 with two litres of illicit arrack, by the Inspector of Excise Range, Mananthavady, who registered C.R.No.43/2006 of that Excise Range, for the offence punishable under Section 8(1) & (2) of the Abkari Act. The petitioner remains in judicial custody. Hence this application, under Section 439 Cr.P.C.

2. After hearing both sides and considering the duration of the judicial detention, and also the fact that the petitioner is not involved in any other case under the Abkari Act, I grant bail and release the petitioner from jail, subject to the following conditions:-

(a). The petitioner shall execute a bond for Rs.25,000/-, with two solvent sureties, each for the like sum, to the satisfaction

of the Judicial Magistrate of First Class-II, Mananthavady.

(b). The petitioner shall report before the Investigating Officer, once in a week on every Tuesday, between 10.00 a.m and 11.00 a.m., for a period of two months, starting from 17.10.2006.

The application is allowed as above.

J.M.JAMES
JUDGE

mrcs